

**SUPREME COURT MINUTES
WEDNESDAY, MARCH 24, 2010
SAN FRANCISCO, CALIFORNIA**

S179194 H034040 Sixth Appellate District

**DUNCAN(JOHN C.) v.
WORKERS'
COMPENSATION APPEALS
BOARD & X.S.**

Petition for review granted

Votes: George, C. J., Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S179552 C060376 Third Appellate District

**PEOPLE v. JONES
(JARVONNE FEREDILL)**

Petition for review granted; issues limited

The petition for review is granted.

The issue to be briefed and argued is limited to the following: Did the trial court properly impose concurrent sentences for being an ex-felon in possession of a firearm (Pen. Code § 12021, subd. (a)(1)) and carrying a loaded, concealed firearm (Pen. Code § 12025, subd. (b)(6)) under the present circumstances? (See Pen. Code § 654; *People v. Harrison* (1969) 1 Cal.App.3d 115, 121-122.)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S179932 C060498 Third Appellate District

**LEDBETTER (RANDY) ON
H.C.**

Petition for review granted; briefing deferred (rule 8.512(d)(2))

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Michael B. Prather on Habeas Corpus*, S172903, and *In re Miguel Molina*, S173260 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S179018 B214165 Second Appellate District, Div. 5

**PEOPLE v. PATTERSON
(DAWN MICHELLE)**

Petition for review denied

S179074 B216250 Second Appellate District, Div. 2

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

**ANAHEIM, CITY OF v. S.C.
(PRICELINE.COM, INC.)**

S179287 H033323 Sixth Appellate District

Petition for review denied

PEOPLE v. LIPSKA (DARYL)

S179303 F055977 Fifth Appellate District

Petitions for review denied

Baxter, J., was recused and did not participate.

**PEOPLE v. MARTINEZ
(DANIEL JOSEPH)**

S179306 C058768 Third Appellate District

Petition for review denied

**PEOPLE v. THOMPSON
(PHILLIP ARTHUR)**

S179345 B209658 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. SNYDER (DAVID
PAUL)**

S179349 B211979 Second Appellate District, Div. 5

Petitions for review denied

Kennard, Werdegar, and Moreno, JJ., are of the opinion the petition should be granted.

**PEOPLE v. CRUZ (JOSE
ROSALES)**

S179412

**FUNCHES (MITCHELL L.) v.
S.C. (PEOPLE)**

The petition for writ of mandate is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Superior Court (Pearson)*, S171117 and *Catlin v. Superior Court*, S157232.

S179415 F055888 Fifth Appellate District

Petition for review denied

**PEOPLE v. STANTON
(DAVID ROY)**

S179435	B214107 Second Appellate District, Div. 5	PEOPLE v. REYES (RAMON ISAIAS)
Petition for review denied		
S179452	C058944 Third Appellate District	MARTIN BROTHERS CONSTRUCTION, INC. v. THOMPSON PACIFIC CONSTRUCTION, INC.
Petition for review & depublication request(s) denied Kennard and Werdegar, JJ., are of the opinion the petition should be granted.		
S179465	H033212 Sixth Appellate District	PEOPLE v. FLORES (ADAN)
Petition for review denied		
S179488	A123128 First Appellate District, Div. 1	PEOPLE v. NASH (MARIKO MARCEL)
Petition for review denied		
S179498	B208906 Second Appellate District, Div. 6	PEOPLE v. CARRINO (DAVID)
Petition for review denied		
S179522	B204020 Second Appellate District, Div. 2	PEOPLE v. MARSHALL (WILLIAM CHARLES)
Petition for review denied		
S179537	G042989 Fourth Appellate District, Div. 3	DELAPENA (JOSE FRANCISCO)v. S.C. (PEOPLE)
Petition for review denied		
S179545	B210696 Second Appellate District, Div. 4	PEOPLE v. CABRERA (ESTEBAN)
Petition for review denied		

S179549 B210743 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. JOHNSON
(SOLOMON)**

S179604 E046129 Fourth Appellate District, Div. 2

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

**PEOPLE v. PEREZ
(ERNESTO FELIX)**

S179606 F055498 Fifth Appellate District

Petition for review denied

**PEOPLE v. STITT (DERRIC
MEREDITH RICK GENE)**

S179636 C060123 Third Appellate District

Petition for review denied

**PEOPLE v. WATFORD
(WARREN GRANARD)**

S179688 B205875 Second Appellate District, Div. 3

Petition for review & depublication request(s) denied

Baxter, J., is of the opinion the petition should be granted.

**PEOPLE v. TEN THOUSAND
ONE HUNDRED FIFTY
THREE DOLLARS &
THIRTY EIGHT CENTS
(\$10,153.38) IN U.S.
CURRENCY**

S179706 B210165 Second Appellate District, Div. 2

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

**LYNWOOD
REDEVELOPMENT AGENCY
v. ANGELES FIELD
PARTNERS LLC.**

S179743 A122321 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ELIZALDE
(DANIEL)**

S179755 D053118 Fourth Appellate District, Div. 1
Petition for review denied

PEOPLE v. ORTIZ (SOPHIA)

S179775 E049916 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. RUVALCABA
(JOSE DEJESUS)**

S179827 D054212 Fourth Appellate District, Div. 1
Petitions for review denied

**PAGE (LEON JAMES) v.
MIRACOSTA COMMUNITY
COLLEGE DISTRICT**

S179839 B212570 Second Appellate District, Div. 6
Petition for review denied

**SCHWEITZER (TAMMY) v.
COUNTY OF VENTURA**

S179900 C061001 Third Appellate District
Petition for review denied

IN RE A.R.

S179928 F056941 Fifth Appellate District
Petition for review denied

**PEOPLE v. QUEZADA
(PHILLIP JAMES)**

S179940 E047656 Fourth Appellate District, Div. 2
Petitions for review denied

IN RE S.Q.

S179942 E048394 Fourth Appellate District, Div. 2
Petition for review denied

**SSSOTLOHIEFMJN
(IAMTHEBEAST) ON H.C.**

S179967 B216585 Second Appellate District, Div. 4
Petition for review denied

PEOPLE v. RIVERA (ZOILA)

S180032	B221593 Second Appellate District, Div. 2	JOHNSON (JAMES) ON H.C.
Petition for review denied		
S180036	F058466 Fifth Appellate District	RODRIGUEZ (CAMERINO)
Petition for review denied		ON H.C.
Baxter, J., was recused and did not participate.		
S180049	C061478 Third Appellate District	PEOPLE v. HENRIQUEZ
Petition for review denied		(MONIQUE EDITH)
S180070	B221452 Second Appellate District, Div. 2	REGISTER (KASH) ON H.C.
Petition for review denied		
S180132	B206428 Second Appellate District, Div. 6	REDDELL (DAN) v.
Petition for review denied		CALIFORNIA COASTAL
		COMMISSION
S180141	B212878 Second Appellate District, Div. 4	PEOPLE v. JORDAN
Petition for review denied		(TYRONE DARNELL)
S180159	B210548 Second Appellate District, Div. 7	PEOPLE v. THOMPSON
Petition for review denied		(TRISTAN D.)
S180173	B212905 Second Appellate District, Div. 7	PEOPLE v. GONZALEZ
Petition for review denied		(CONSTANCIO)
S180195	E050034 Fourth Appellate District, Div. 2	GOMEZ (CARLOS) ON H.C.
Petition for review denied		

S180213 B213487 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. REMBLE
(MARQUIS)**

S180219 B210275 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. PEREZ
(GUILLERMO)**

S180220 B210108 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GOLSON
(JAMAR)**

S180222 A121367 First Appellate District, Div. 3

Petitions for review denied

PEOPLE v. SCOTT (ERIC)

S180224 B220485 Second Appellate District, Div. 4

Petition for review denied

**EVANS (BRIAN K.) v.
DJARUM (PT)**

S180225 E046966 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MONTALVO
(JOHN JASON)**

S180228 C059484 Third Appellate District

Petition for review denied

**PEOPLE v. RUGGLES (JOHN
ARTHUR)**

S180237 E049280 Fourth Appellate District, Div. 2

Petition for review denied

The motion to strike portions of the petition for review is denied.

Corrigan, J., was recused and did not participate.

**PACIFIC CONNECTIONS OF
CALIFORNIA v. WORKERS'
COMPENSATION APPEALS
BOARD/(GOMEZ)**

S180241 C061030 Third Appellate District

Petition for review denied

**PEOPLE v. ROXAS (ERNEST
EUGENE)**

S180242 F056476 Fifth Appellate District

Petition for review denied

**PEOPLE v. LEWIS (JASON
NATHANIEL)**

S180251 F056234 Fifth Appellate District

Petition for review denied

**PEOPLE v. ROBINSON
(DONNELL LAVERT)**

S180252 B209692 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. VELEZ (ANDREW
ADAM)**

S180256 D053688 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GONZALEZ
(JOSE R.)**

S180257 E050136 Fourth Appellate District, Div. 2

Petition for review denied

**COX (JUSTIN) v. S.C.
(PEOPLE)**

S180258 B212969 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. RODRIGUEZ
(MARK ANTHONY)**

S180261 D053536 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. POPESCU
(VIRGIL)**

S180271 A122225 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. EDWARDS
(RUSSELL ELIJAH)**

S180276 F058737 Fifth Appellate District

Petition for review denied

S180282 F058703 Fifth Appellate District

Petition for review denied

Baxter, J., was recused and did not participate.

S180291 B211878 Second Appellate District, Div. 6

Petition for review denied

S180294 F056110 Fifth Appellate District

Petition for review denied

S180297 C057850 Third Appellate District

Petition for review denied

S180302 D054006 Fourth Appellate District, Div. 1

Petition for review denied

S180304 C059411 Third Appellate District

Petition for review denied

S180305 F059245 Fifth Appellate District

Petition for review denied

**SANCHEZ (MATTHEW) ON
H.C.**

OSBY (JACKIE) ON H.C.

**SHAW (LEA & KENNETH
JAMES), MARRIAGE OF**

**PEOPLE v. BURGIN (GARY
JAY)**

**RIVER ROCK
DEVELOPMENT v. PAIK
(YOUNG J.)**

**KAPLAN (SAMUEL) v.
WHITMARK (RICHARD)**

**PEOPLE v. LEE (SEVASON
CHAOVADY)**

**WOODS II (EARNEST C.) v.
S.C. (PEOPLE)**

S180309 B212157 Second Appellate District, Div. 5
Petition for review denied

**PEOPLE v. TAUCH (KUN
LYNA CHAN)**

S180313 F058584 Fifth Appellate District
Petition for review denied

FOSTER (FEASTER) ON H.C.

S180317 C063961 Third Appellate District
Petition for review denied

DAYA (ARVIND) ON H.C.

S180321 B208506 Second Appellate District, Div. 8
Petition for review denied

**PEOPLE v. ROYAL (MARLIN
L.)**

S180323
The petition for writ of certiorari is denied.

**PEOPLE v. BIDDELL
(BENJAMIN)**

S180325 C057636 Third Appellate District
Petition for review denied

PEOPLE v. GARCIA (BEN)

S180326 B210695 Second Appellate District, Div. 3
Petition for review denied

PEOPLE v. ROJAS (JAMES)

S180328 B212042 Second Appellate District, Div. 5
Petition for review denied

**PEOPLE v. BECERRA
(ANTHONY DAVID)**

S180339 F056842 Fifth Appellate District
Petition for review denied

**PEOPLE v. SILVA (EFREN
FELICIANO)**

S180342 E046166 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. FERNANDEZ
(CHRISTIAN CHARLES)**

S180349 B214727 Second Appellate District, Div. 2

Petition for review denied

IN RE J.G.

S180355 F059387 Fifth Appellate District

Petition for review denied

ESTRADA (DAVID) ON H.C.

S180360 D054254 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. JENNISON
(MICHAEL)**

S180370 E050132 Fourth Appellate District, Div. 2

Petition for review denied

FARIAS (JOSEPH) ON H.C.

S180377 D056582 Fourth Appellate District, Div. 1

Petition for review denied

**CASTLE (ROBERT THOMAS)
ON H.C.**

S180379 B213254 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. PEREZ (JOSE
ARGUEZ)**

S180397 E050091 Fourth Appellate District, Div. 2

Petition for review denied

**HENDERSON (MARCUS
LEE) v. S.C. (PEOPLE)**

S180399 F058726 Fifth Appellate District

Petition for review denied

**RHINEHART (MICHAEL) v.
S.C. (PEOPLE)**

S180535**WILLIAMS (JOHNATHAN S.)
v. COURT OF APPEAL,
FIRST APPELLATE
DISTRICT, DIVISION FOUR
(DEPARTMENT OF
CORRECTIONS &
REHABILITATION)**

Petition for writ of mandate/prohibition & application for stay denied

S180705

B221899 Second Appellate District, Div. 5

**MORGAN (GARY B.) v. S.C.
(PEOPLE)**

The application for stay and petition for review are denied as moot.

S181142

B223002 Second Appellate District, Div. 6

**CORDERO (FERNANDO) v.
S.C. (M.F.)**

Petition for review & application for stay denied

S170204

Petition for writ of habeas corpus denied

WANG (JOHN) ON H.C.**S172278**

Petition for writ of habeas corpus denied

**BOONE (JEROME
LENNART) ON H.C.****S173754****FKADU (BERIHU HADERA)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)**S175970**

Petition for writ of habeas corpus denied

BAKER (DANA) ON H.C.**S176473**

Petition for writ of habeas corpus denied

**HJELTNESS (SUSAN MARIE)
ON H.C.**

S176477**WEST, JR., (MACK) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)

S176687**KEOSOUPHA (PHOUVIENG)
ON H.C.**

Petition for writ of habeas corpus denied

S176689**MOORE (JOHNNY A.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S176690**JENNINGS (JAMES) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)

S176692**GOMEZ (ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

S176696**KAFATIA (KENT WESLEY)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218.)

S176743**VIZCAINO (GUSTAVO) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S176772**McKINZIE (VERNON) ON
H.C.**

Petition for writ of habeas corpus denied

S176805**GREGG (RICHARD) ON H.C.**

Petition for writ of habeas corpus denied

S176808

Petition for writ of habeas corpus denied

MACIAS (RENE) ON H.C.**S176813**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**HILDEBRAND (MICHAEL
McCOY) ON H.C.****S176824**

Petition for writ of habeas corpus denied

**AMADOR (LOUIE P.) ON
H.C.****S176854**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**RODRIGUEZ (LUIS
GUSTAVO) ON H.C.****S176855**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

GONZALES (HUGO) ON H.C.**S176857**

Petition for writ of habeas corpus denied

**RIOS, JR., (ALBERTO) ON
H.C.****S176864**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)

SMITH (KEVIN) ON H.C.**S176889**

Petition for writ of habeas corpus denied

FLORES (DAVID) ON H.C.**S176911**

Petition for writ of habeas corpus denied

**WESSEL (DAVID LEE) ON
H.C.**

S176914**ADAMS (STEVE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)

S176953**JACKSON (EUDALE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

S176956**HENDERSON (JEFFREY
SHAWN) ON H.C.**

Petition for writ of habeas corpus denied

S176968**BARRON (ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

S176971**O'HARA (PATRICK) ON H.C.**

Petition for writ of habeas corpus denied

S176973**HERNANDEZ, JR.,
(RICHARD A.) ON H.C.**

Petition for writ of habeas corpus denied

S177010**BODE (CLIFTON) ON H.C.**

Petition for writ of habeas corpus denied

S177011**BACKES (PERRY A.) ON H.C.**

Petition for writ of habeas corpus denied

S177015**MONTGOMERY (HENRY)
ON H.C.**

Petition for writ of habeas corpus denied

S177019**PARKS (STEVEN DEAN) ON
H.C.**

Petition for writ of habeas corpus denied

S177023**LYNCH (THERON N.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S177025****PEREZ (DAVID) ON H.C.**

Petition for writ of habeas corpus denied

S177027**ARIAS (JORGE) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S177031****JACKSON (JASMINE T.) ON
H.C.**

Petition for writ of habeas corpus denied

S177040**SEASTRUNK (NATHAN) ON
H.C.**

Petition for writ of habeas corpus denied

S177041**GOODALL, JR., (HARRY C.)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S177048****NORIEGA (DAVID H.) ON
H.C.**

Petition for writ of habeas corpus denied

S177069**HOWELL (KAREEM J.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Nguyen* (2009) 46 Cal.4th 1007.)

S177092**SMITH (MURRAY M.) ON
H.C.**

Petition for writ of habeas corpus denied

S177107**TATUM (JOHN F.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S177118**CASSANO (ROBERT W.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S177136**TRILLO (VICTOR
BERNARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S177146**SMITH (GAYLORD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

S177148**MURPHY (KEVIN L.) ON
H.C.**

Petition for writ of habeas corpus denied

S177154**CLAWSON (JOSIAH
JEREMIAH) ON H.C.**

Petition for writ of habeas corpus denied

S177921**HUNWARDSSEN (JASON G.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S178719**DeHUFF (CHRISTOPHER)
ON H.C.**

Petition for writ of habeas corpus denied

S179944**MITCHELL (GREGORY) ON
H.C.**

Petition for writ of habeas corpus denied

S179984**KAHN (JEFFREY JOHN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304, *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S180073**ARREYGUE (MICHAEL) ON
H.C.**

Petition for writ of habeas corpus denied

S180350**NORTON (PAUL) ON H.C.**

Petition for writ of habeas corpus denied

S180374**LUNA (GILBERT) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S180376**WILSON (MARLON V.) ON
H.C.**

Petition for writ of habeas corpus denied

S180470**GARCIA (STEPHEN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)

S180471**YOUNG (HOWARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S180473**ROGERS (JOHN) ON H.C.**

Petition for writ of habeas corpus denied

S180499**MARLIN (TERRY) ON H.C.**

Petition for writ of habeas corpus denied

S180506**AGUILAR (JESUS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S180568**FRYE (ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

S180573**MASK (ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

S180594**HAYES (ELWOOD DUANE)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

S180615**TOME (ARODY RAMOS) ON
H.C.**

Petition for writ of habeas corpus denied

S180616**TOME (ARODY RAMOS) ON
H.C.**

Petition for writ of habeas corpus denied

S180618**KING (JESSE STEPHEN) ON
H.C.**

Petition for writ of habeas corpus denied

S180682

Petition for writ of habeas corpus denied

**KING (JESSE STEPHEN) ON
H.C.****S180775**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**CARMONY (KENNETH D.)
ON H.C.****S180933**

Petition for writ of habeas corpus & application for stay denied

ARCH (EDWARD) ON H.C.**S179644**

F055359 Fifth Appellate District

Publication request denied (case closed)
Baxter, J., was recused and did not participate.

**KAUR (RAJWINDER) v. FIRE
INSURANCE EXCHANGE****S179793**

A122128 First Appellate District, Div. 5

Publication request denied (case closed)

**BEHESHTI (OMID) v.
BARTLEY (DANIEL
ROBERT)****S179950**

B206619 Second Appellate District, Div. 8

Publication request denied (case closed)

**GRAY (VANESSA) v. MIF OF
SAN FRANCISCO, INC.****S180048**

E048640 Fourth Appellate District, Div. 2

Publication request denied (case closed)

**U.S. SPECIALTY
INSURANCE COMPANY v.
S.C. (CHINO VALLEY
AVIATION, INC.)****S180917**

Publication request denied (case closed)

**PEOPLE v. BENHABILES
(MUSTAPHA)**

S097363**PEOPLE v. MERRIMAN
(JUSTIN JAMES)**

Extension of time granted

Good cause appearing, and based upon counsel Glen Niemy's representation that he anticipates filing the appellant's opening brief by June 2010, counsel's request for an extension of time in which to file that brief is granted to May 10, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

S173860

B202997 Second Appellate District, Div. 8

**DICON FIBEROPTICS, INC.
v. FRANCHISE TAX BOARD**

Extension of time granted

On application of respondent and good cause appearing it is ordered that the time to serve and file the reply brief on the merits is extended to May 7, 2010.

S056391**PEOPLE v. WILLIAMS, JR.,
(BOB RUSSELL)**

Motion for access to sealed record granted

The "Motion to Authorize Inspection and Copying of Sealed and Confidential Materials," filed by Williams's federal counsel, the Office of the Federal Defender and Tim Brosnan, on January 8, 2010, is granted, as follows.

Federal counsel are granted access to the records in *People v. Bob Russell Williams* (S056391) and *In re Bob Russell Williams* (S137389), including the following confidential and sealed materials:

- 1) All sealed section 987.9 materials, comprising:
 - a. Sealed First Supplemental Clerk's Transcript on Appeal, volume 1, pages 2 through 66 and 79 through 271 (pages 67 through 78 previously were unsealed), and volume 2, pages 272 through 534;
 - b. Sealed Second Supplemental Clerk's Transcript/Ex Parte Motion for Additional Investigator's Fees and Order, pages 4 through 6, dated November 18, 1994;
 - c. Sealed Reporter's Transcript on Appeal of hearing of January 25, 1995, pages 2 through 8;
 - d. Sealed Reporter's Transcript on Appeal of hearing of May 17, 1995, pages 2 through 5;
 - e. Sealed Reporter's Transcript on Appeal of hearing of June 10, 1996, pages 2 through 3;
 - f. Sealed Reporter's Transcript of Testimony and Proceedings of hearing of June 25, 1996, pages 2 through 6; and
 - g. Sealed Reporter's Transcript (Augment) of hearing of July 5, 1996, pages 2 through 3.
- 2) Sealed Second Supplemental Clerk's Transcript, Reporter's Transcript on Appeal of in camera hearing of November 23, 1994, pages 9 through 10A.
- 3) Sealed Augmentation Record on Death Appeal, Reporter's Transcript of in camera hearing of April 6, 1995, pages 37 through 43.

- 4) Sealed Probation Report, dated August 8, 1996, and amended August 21, 1996, and letter from a citizen received by the court on August 22, 1996.
- 5) Sealed Jury Ladder.
- 6) Sealed Unredacted Pages from Sworn Jurors' Questionnaires, and Key Correlating Juror Names with Numbers.
- 7) All confidential documents related to Charles Bonneau's representation of Williams on appeal and habeas corpus, including:
 - a) requests for investigative funds and related orders;
 - b) compensation claim forms or vouchers for attorneys' fees and expenses, and related orders;
 - c) any fixed fee proposals and related orders;
 - d) requests for, and records of the disbursement of, fixed-fee progress payments;
 - e) 60-day status reports; and
 - e) correspondence between counsel and court staff.

Federal counsel must supply the personnel and equipment necessary to undertake examination and copying of the records described above, which must occur on the premises of this court.

It is ordered that federal counsel not release or cause to be released any of the confidential or sealed materials, or the information contained therein, to any person other than those agents and representatives whom counsel may authorize. If counsel wish to quote, cite, disclose, or describe the confidential or sealed materials in any court papers, those papers must themselves be filed under seal.

Federal counsel are reminded of the limitations imposed by the trial court on contact with jurors. {See R.T. 15:3147-3148.} If counsel wish to be relieved from these limitations, they must request such relief in the trial court. (Code Civ. Proc., § 237.)

S089478

**PEOPLE v. MAI (HUNG
THANH)**

Record ordered unsealed

Appellant's "Motion to Unseal Transcripts in Part," filed on February 18, 2010, is granted follows.

1. The Clerk is directed to file as part of the public record pages 460 through 488 of the March 29, 2000, Reporter's Transcript (3 Sealed RT 460-488), as reflected in Exhibit C of the "Motion to Unseal Transcripts in Part."
2. The Clerk is directed to file as part of the public record pages 155 through 156 of the Clerk's Transcript (1 Sealed CT 155-156), as reflected in Exhibit D of the "Motion to Unseal Transcripts in Part."
3. The Clerk is directed to unseal pages 219 through 230 of the July 30, 1999, Reporter's Transcript (2 Sealed RT 219-230).

The Clerk is further directed to transmit a copy of these portions of the public record to respondent.

S099844**PEOPLE v. RAMIREZ (JUAN VILLA)**

Record augmentation denied

The Motion for Order to Augment the Record on Appeal, filed January 28, 2010, is denied. (See Cal. Rules of Court, rules 8.155(a)(3), 8.144(b)(2).) Denial of the request to augment the record with the petition for writ of mandate filed in the Court of Appeal for the Fifth Appellate District on January 20, 2001, and related documents is without prejudice to a request for judicial notice of these materials. (Evid. Code, § 452.)

S164614 C057766 Third Appellate District
Order filed**PEOPLE v. S.C. (SPARKS)**

The application of real party in interest for leave to file a reply to the People's answer to petition for rehearing is hereby denied.

S167100**ZAMUDIO JIMENEZ
(SAMUEL) ON H.C.**

Motion denied

The motion to extend the presumptively timely date for filing the amended petition for writ of habeas corpus is denied.

S178504**DALTON (KERRY LYN) ON
H.C.**

Motion to file document under seal granted

Petitioner's "Amended Application for leave to File Under Seal Claim E.4 and Appendices 402-405 in Support of Petition for Writ of Habeas Corpus," filed December 17, 2009, is granted.

The Clerk is directed to file under seal Claim E.4 of the Petition for Writ of Habeas Corpus and Appendices 402 through 405 in support of the Petition for Writ of Habeas Corpus, which were received conditionally under seal on December 7, 2009. (Cal. Rules of Court, rule 8.46(e) [Appendices 402 and 403]; cf. id., rule 8.46(c)(1) [Claim E.4 and Appendices 404 and 405].)

On the court's own motion, the parties having received notice and an opportunity to be heard, the Clerk is further directed to unseal Appendices 404 and 405, and Claim E.4. (Cal. Rules of Court, rule 8.46(c)(1), (f)(3).)

The Clerk is further directed to provide counsel for respondent with a copy of the above-referenced documents.

S179568**ACCUSATION OF JOHNSON**

Petition denied

(accusation)

S179813

Petition denied

(accusation)

ACCUSATION OF GATICA**S179968**

Petition denied

(accusation)

ACCUSATION OF McCRAW**S180058**

Petition denied

(accusation)

ACCUSATION OF ROMERO**S180227**

Petition denied

(accusation)

ACCUSATION OF DISIBIO

The request for judicial notice is denied.

S180260

Petition denied

(accusation)

ACCUSATION OF BEASLEY**S180269**

Petition denied

(accusation)

ACCUSATION OF BEZIS**S180279**

Petition denied

(accusation)

ACCUSATION OF CHENG**S180285**

Petition denied

(accusation)

ACCUSATION OF CAPUTI**S180353**

Petition denied

(accusation)

ACCUSATION OF MIANO**S153990****WILLIAMS ON DISCIPLINE**

Petition for writ of review denied; recommended discipline imposed

The court orders that MARK STEVEN WILLIAMS, State Bar No. 177754, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. MARK STEVEN WILLIAMS is suspended from the practice of law for the first six months

of probation;

2. MARK STEVEN WILLIAMS must comply with all other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on April 30, 2007.

The period of suspension and conditions of probation will run concurrently with the period of suspension and conditions of probation previously imposed by the court's November 21, 2008, order filed in *In re Mark Steven Williams on Discipline*, case number S168575.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S178577**ORLYN ON DISCIPLINE**

Petition for writ of review denied; recommended discipline imposed

The petition for a writ of review is denied.

The court orders that BARRY M. ORLYN, State Bar number 37228, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. BARRY M. ORLYN is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until the following requirements are satisfied:
 - i. He must make restitution to Adrian Carrillo in the amount of \$9,000 plus 10 percent interest per year from May 8, 2003 (or reimburse the Client Security Fund, to the extent of any payment from the fund to Adrian Carrillo, in accordance with Business and Professions Code section 6140.5) and furnish proof to the State Bar's Office of Probation in Los Angeles; and
 - ii. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice, and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. BARRY M. ORLYN must also comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed on October 16, 2009.
3. At the expiration of the period of probation, if BARRY M. ORLYN has complied with all conditions of probation, the four-year period of stayed suspension will be satisfied and that suspension will be terminated.

BARRY M. ORLYN must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

BARRY M. ORLYN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

A127376

First Appellate District, Div. 4

**CRYSTAL ECHEVERRIA v.
FOOT LOCKER RETAIL,
INC.**

The above-entitled matter, now pending in the Court of Appeal, First Appellate District, is transferred from Division Four to Division Three.

